

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUN 29 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JAMES T. NORVELL,

Plaintiff - Appellant,

v.

BNSF RAILWAY COMPANY, a  
Delaware corporation,

Defendant - Appellee.

No. 22-35373

D.C. No. 3:17-cv-05683-BHS  
U.S. District Court for Western  
Washington, Tacoma

**MANDATE**

The judgment of this Court, entered May 08, 2023, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule  
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT